

Waterford HCD Comments and Response Matrix

October 11, 2024

Topic	HCD Comment	Actions Needed	Page Number
Review of Previous Housing Element			
Adequate Site Rezone	<ul style="list-style-type: none"> Demonstrate whether rezoned sites have a site capacity of at least 16 units and permit rental and owner multifamily development without discretionary review. Demonstrate sites were rezoned during the planning period which ended December 31, 2023. 	1. Include additional information related to Program 1.5 and Program 1.6 from the 5 th Cycle Housing Element.	<i>Program evaluation for Program 1.5 and 1.6 updated.</i>
		2. Add clarification related to rezoned sites from the 5 th Cycle Housing Element.	<i>Program did not include a Rezone component – Program required an update to the Lake Pointe Master Development Plan.</i>
Programs	<ul style="list-style-type: none"> Description of actual results of the prior element's programs, compare those results to the objectives projected or planned, and based on an evaluation of how the objectives and programs of the updated element incorporate changes resulting from the evaluation. 	1. Update Program evaluation to provide additional detail to the evaluation.	<i>Program evaluation updated on Pages 194 through 216.</i>
Affirmatively Furthering Fair Housing			
Enforcement and Outreach	<ul style="list-style-type: none"> Include information on fair housing complaints more specific to the City and analyze those complaints for trends, patterns, and impacts on protected classes. 	1. Add information related to City fair housing complaints and added analysis.	<i>Edits made on Page 98 through 104 related to fair housing complaints and outreach efforts.</i>

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Local Patterns and Trends	<ul style="list-style-type: none"> Additional analysis of various components of the Fair Housing analysis. 	1. Add additional analysis to the AFFH Chapter.	<i>Edits made to Page 98 through 151. Added Table 55, 56, and 57. Figure 4.2, 4.3, 4.4, 4.5, 4.6, 4.7, 4.8, and 4.14.</i>
Identified Sites and Affirmatively Furthering Fair Housing (AFFH)	<ul style="list-style-type: none"> Identify whether sites improve or exacerbate conditions and whether sites are isolated by income group. 	1. Add analysis of the Site Inventory to the AFFH Chapter.	<i>Edits made to Page 141 through 147. Added Table 63 to illustrate AFFH factors and sites inventory.</i>
Local Data, Knowledge, and Other Relevant Factors	<ul style="list-style-type: none"> Complement federal, state and regional data with local data and knowledge where appropriate to capture emerging trends and issues, including utilizing knowledge from local and regional advocates and service providers. 	1. Add local knowledge to the AFFH Chapter.	<i>Edits made to Page 102 through 208.</i>
Housing Needs Assessment			
Housing Costs	<ul style="list-style-type: none"> Include information on average local rental prices. 	1. Add information on average local rental prices.	<i>Added Table 15 on Page 24 related to rental prices in Waterford.</i>

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Special Housing Needs	<ul style="list-style-type: none"> Describe and analyze existing resources available to meet the needs of special housing needs populations, specifically for seniors, persons with disabilities, large households, female-headed households, farmworkers, and ELI households. 	1. Include updated information on existing resources for special housing needs populations.	<i>Added Table 27 on Page 40, Table 30 on Page 44, and Table 33 on Page 46 related to Special Housing Needs Resources.</i>
Farmworkers	<ul style="list-style-type: none"> Address trends, characteristics, disproportionate needs, the magnitude and nature of the gap between resources and housing needs, and effectiveness of past policies, programs, and funding to help address those gaps. 	1. Add additional analysis related to farmworkers, farmworker housing, and resources.	<i>Added Table 37 on Page 49 related to Farmworkers. Updated Program 5.2 related to Farmworker housing.</i>
Site Inventory and Analysis			
Parcel Listing	<ul style="list-style-type: none"> Include a breakdown of units for each income category. 	1. Update Site Inventory table to include a breakdown of units for each income category.	<i>Revised Table 48 to include affordability for lower-, moderate-, and above-moderate income.</i>
Parcel Listing	<ul style="list-style-type: none"> Add description of existing uses and provide sufficient detail to facilitate an analysis of the potential for additional development on nonvacant sites. 	2. Update Site Inventory table to include additional information on the existing use for each site. Add additional analysis for non-vacant sites.	<i>Added methodology for Existing Sites on Page 72.</i>

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Parcel Listing	<ul style="list-style-type: none"> Clarify the maximum and realistic capacity for site V3. 	3. Update Site V3 to fix discrepancy.	<i>Revised Table 48 to fix discrepancy.</i>
	<ul style="list-style-type: none"> Update inventory to whole numbers instead of fractional units. 	4. Update Site Inventory to remove fractional numbers to meet RHNA.	<i>Revised Table 48 to remove fractional numbers to meeting RHNA</i>
Progress in Meeting the RHNA	<ul style="list-style-type: none"> Describe whether Carriage Square Estates and the Fahmy Subdivisions are counted towards as progress toward the RHNA. 	1. Make a new table for pipeline projects in the City.	<i>Added Table 46, Entitled and Pending Development Projects and descriptions for each project on Page 68 and 69.</i>
Small and Large Sites	<ul style="list-style-type: none"> Site smaller than ½ acre or greater than 10 acres are deemed inadequate to accommodate housing for lower-income households unless its demonstrated, with sufficient analysis, that sites equivalent size with affordability were successfully developed during the prior planning period or other evidence demonstrates the suitability of these sites. 	1. Update Site Inventory to remove sites less than half an acre that are to accommodate housing for lower-income households.	<i>Table 48 has been updated to remove sites less than half an acre.</i>

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Realistic Capacity	<ul style="list-style-type: none"> Provide specific analysis to support realistic capacity assumptions. 	1. Add analysis of representative projects to support realistic capacity assumptions.	<i>Added analysis of representative projects to support realistic capacity assumptions on Page 72 through Page 75.</i> <i>Added additional analysis for realistic capacity for Site located within the Lake Pointe Master Development Plan on Page 83.</i>
	<ul style="list-style-type: none"> Assumption of residential development on sites with zoning that allows 100 percent nonresidential units. 	2. Add detail to Site Inventory Chapter.	
Zoning for Lower-Income Households	<ul style="list-style-type: none"> The element indicates Site V7 to accommodate the City's lower-income RHNA. This site is in the RS zone and reflects a zoning of 4-6 units per acre. 	1. Update Site Inventory to provide additional detail on the Carriage Square Estates Project.	<i>Added Carriage Square Estates to Table 46, Entitled and Pending Development Projects and added a description of the project to the Housing Element on Page 68.</i>
Sites Identified from Prior Planning Periods	<ul style="list-style-type: none"> Clarify if sites were identified in prior planning periods and if so, which sites and add or modify a program pursuant to Government Code Section 65583.2(c). 	1. Update Site Inventory table to clarify if sites for lower-income were used in the prior planning period.	<i>Added Table 49 on Page 83 and Program 1.3 for analysis and consistency with Gov't Code Section 65583.2(c).</i>

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Replacement Housing Requirements	<ul style="list-style-type: none"> Analysis of nonvacant sites that are occupied by lower-income households. 	1. Add analysis related to nonvacant sites occupied by lower-income households.	<i>Added additional analysis relevant to non-vacant sites on Page 84 and 85. Added Table 50 related to representative non vacant sites.</i>
Suitability of Nonvacant Sites	<ul style="list-style-type: none"> Discuss how ranch homes and existing agricultural uses are indicative or supportive of redevelopment potential. 	1. Add analysis for nonvacant and agricultural land within the City and analysis.	<i>Added methodology for nonvacant sites to Page 84 and 85.</i>
	<ul style="list-style-type: none"> If the Housing Element relies upon nonvacant to accommodate more than 50 percent of the RHNA, the housing element must demonstrate that the existing use is not an impediment to additional residential development in the planning period. 	2. Add analysis on usage of nonvacant sites.	<i>Added detail to Page 71 and 72.</i>
Accessory Dwelling Units (ADUs)	<ul style="list-style-type: none"> Clarify whether the City is utilizing ADUs to accommodate a portion of RHNA. 	1. Add permitted ADUs between 2018 and 2023 and use that information to update RHNA table.	<i>Added ADU information and assumption on income group. Updated RHNA table and added Table 45 on Page 65. Added methodology on Page 65 and 66</i>

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Specific Plan Areas	<ul style="list-style-type: none"> Identify approved or pending projects within these plans that are anticipated in the planning period, including anticipated affordability based on the actual or projected sale prices, rent levels, or other mechanisms establishing affordability in the planning period of the units within the project. 	<ol style="list-style-type: none"> Add detailed information regarding the Lake Pointe Master Development Plan, including available infrastructure, prior use in 5th Cycle, steps for entitlement, potential limitations on development within the 6th Cycle Planning Period, and add a program to help facilitate development in the Lake Pointe Master Development Plan. 	<p><i>Added information regarding the Lake Pointe Master Development Plan, including necessary approvals or steps for entitlement of new development, timing, and planned infrastructure on Pages 85 through 89.</i></p> <p><i>Added Program 1.3 to the Housing Element to help facilitate development of the Lake Pointe Master Development Plan.</i></p>
	<ul style="list-style-type: none"> Describe necessary approvals or steps for entitlements for new development (e.g., design review, site plan review, etc.). 		
	<ul style="list-style-type: none"> Describe any development agreements, and conditions or requirements such as phasing or timing requirements, that impact development in the planning period. 		
	<ul style="list-style-type: none"> Clarify whether there is sufficient sewer capacity (existing and planned) to accommodate the RHNA and the accessibility of infrastructure (existing and planned) to identified sites. 		

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Water Supply Priority	<ul style="list-style-type: none"> Discuss compliance with Government Code Section 65589.7 and if necessary, add or modify programs to establish a written procedure by a date early in the planning period. 	1. Clarify compliance with Government Code Section 65589.7.	<i>Added discussion to Page 95 related to Water Supply Priority and updated Program 6.5 to include preparation of Procedures.</i>
Environmental Constraints	<ul style="list-style-type: none"> Discuss environmental constraints relative to identified sites and describe any other known environmental or other constraints that could impact housing development on identified sites in the planning period. 	1. Add environmental constraints to Sites Inventory Section. Add analysis.	<i>Added discussion to Page 95 and 96 related to Environmental Constraints and the Site Inventory.</i>
Electronic Sites Inventory	<ul style="list-style-type: none"> Upon adoption of the Housing Element, the City must submit an electronic version of the sites inventory to HCD. 	N/A	<i>Added Program 1.2 to submit electronic copy of the inventory of land suitable and available for residential development to HCD</i>
Zoning for a Variety of Housing Types	<ul style="list-style-type: none"> Emergency Shelters. Describe the development standards of the RH and GC zones, including any special standards for emergency shelters and whether those standards are appropriate for emergency shelters, especially related to parking. 	1. Add detail to Housing Element related to Emergency Shelters. Review Zoning Code for compliance.	<i>Added discussion to Page 163 and updated Program 5.11 to review and update Zoning Code as necessary.</i>

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Zoning for a Variety of Housing Types	<ul style="list-style-type: none"> Employee Housing. Address whether the City complies with the Employee Housing Act. 	1. Add compliance review for Employee Housing.	<i>Added discussion related to Employee Housing on Page 163.</i>
	<ul style="list-style-type: none"> Transitional and Supportive Housing. Clarify whether transitional and supportive housing are permitted as a residential use in all zones allowing residential uses, and only subject to those restrictions that apply to other residential dwellings of the same type in the same zone. 	2. Add compliance review for Transitional and Supportive Housing.	<i>Added discussion on Page 163 and 164 and updated Table 69. Updated Program 5.11.</i>
	<ul style="list-style-type: none"> Permanent Supportive Housing. Add compliance with Government Code Section 65651 related to supportive housing as a use by-right in zones where multifamily and mixed uses are permitted. 	3. Demonstrate consistency with Government Code Section 65651.	<i>Added Discussion related to Permanent Supportive Housing on Page 164 and updated Program 5.11.</i>
	<ul style="list-style-type: none"> Manufactured Housing. Clarify that manufactured homes on a permanent structure should only be subject to the same development standards that a conventional single-family residential dwelling is subject to. 	4. Demonstrate consistency with Government Code Section 65852.3.	<i>Added analysis related to Manufactured Housing and Mobile Home Parks on Page 165 and 166 and updated Program 5.11.</i>

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Governmental and Non-Governmental Constraints			
Land Use Controls	<ul style="list-style-type: none"> Clarify whether the height limit of 35 feet allows for three story development. 	1. Clarify development standards related to number of stories.	<i>Added detail to Page 160 related to number of stores.</i>
Local Processing and Permit Procedures	<ul style="list-style-type: none"> Clarify whether there are written procedures for the SB35 Streamlined Ministerial Approval Process and if there are no written procedures, add a program to address these requirements. 	1. Demonstrate compliance with SB35 related to Streamlined Ministerial Approval Process.	<i>Added additional discussion to Page 180 related to SB35 and added Program 6.16.</i>
	<ul style="list-style-type: none"> Clarify compliance with the Permit Streamlining Act and intersections with CEQA and timing requirements, including streamlining determinations. 	2. Add discussion related to the Permit Streamlining Act.	<i>Added discussion related to permit processing on Page 171, updated Table 73 and added Table 74 on residential permit processing, and processing steps.</i>
Zoning and Fees Transparency	<ul style="list-style-type: none"> Clarify compliance with transparency requirements for posting all fees, zoning, and development standards on the City's website and add a program to address these requirements, if necessary. 	1. Update discussion related Application and Impact Fees on transparency.	<i>Added detail to Page 170 clarifying that fees are available on the City's website.</i>

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Local Ordinances	<ul style="list-style-type: none"> Analyze any locally adopted ordinances that directly impact the cost and supply or residential development (e.g., inclusionary requirements, short term rentals, growth controls). 	1. Add detail to related to locally adopted ordinances.	<i>Analysis provided on Page 184.</i>
Housing for Persons with Disabilities	<ul style="list-style-type: none"> Reasonable Accommodation. Describe the decision-making criteria, application requirements, approval findings, fees, and analyze any potential constraints on housing for persons with disabilities. 	1. Add detail to Reasonable Accommodation discussion in HE.	<i>Added detail to Page 183 related to the Reasonable Accommodation procedure and decision making process.</i>
	<ul style="list-style-type: none"> Group Homes. Specific analysis of various types of housing for persons with disabilities. 	2. Add specific analysis for Group Homes in HE.	<i>Updated Table 69 and added detail to Pages 162 through 166.</i>
	<ul style="list-style-type: none"> Standards. Describe and analyze any siting, separation, or minimum distance requirements for residential care facilities as a potential constraint for persons with disabilities. 	3. Add additional detail related to Development Standards to HE.	<i>Added detail to Page 160 related to Development Standards for Residential Care Facilities.</i>
	<ul style="list-style-type: none"> Definition of Family. Describe and evaluate the definition of family. 	4. Add analysis for the definition of Family.	<i>Added definition for Family and analysis on Page 183.</i>

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Housing Programs			
Housing Programs	<ul style="list-style-type: none"> Programs must have specific commitment and discrete timing. 	1. Revise Programs to include specific commitment and discrete timing.	<i>Programs have been revised to include specific commitment and discrete timing. See Pages 218 through 246.</i>
Water and Sewer Services	<ul style="list-style-type: none"> Revise Program 6.5 to establish written policies and procedures that grant priority service to developments with units affordable to lower-income households. 	1. Update Program 6.5.	<i>Program 6.5 has been updated to establish written procedures on Page 239.</i>
No Net Loss Law	<ul style="list-style-type: none"> Add a program with specific actions to ensure development opportunities remain available throughout the planning period to accommodate, especially for lower- and moderate-income, pursuant to Government Code Section 65863. 	1. Add a program to be consistent with No Net Loss Law.	<i>Program 1.1 has been added to include No Net Loss Law on Page 218.</i>
Special Housing Needs	<ul style="list-style-type: none"> While the element includes programs to address the needs for extremely low-income (ELI), farmworkers, and persons experiencing homelessness, these programs lack meaningful, proactive efforts and seem to primarily amount to supporting the City's actions. 	1. N/A	<i>Program 5.11 has been updated related to Code Updates to address Special Housing Needs. Program 5.12 has been added for SRO</i>

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Constraints	<ul style="list-style-type: none"> Depends on complete analysis of Governmental and Nongovernmental constraints. 	1. N/A	N/A
AFFH	<ul style="list-style-type: none"> Depends on complete analysis, Programs must be meaningful and significant with specific commitment, timing, geographic targeting and metrics. 	1. N/A	N/A
Public Participation			
Public Participation	<ul style="list-style-type: none"> Employ additional methods for public outreach efforts in the future, particularly to lower-income and special needs household and neighborhoods with higher concentrations of lower-income households. 	1. Provide additional outreach efforts.	<i>Stakeholder to be scheduled.</i>